

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

-against-

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #: 17-cr-0601  
DATE FILED: 1/2/2024

17-cr-0601 (LAK)

JOESIAN ABRAHAM ORTIZ GARCIA,

Defendant.

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**ORDER**

LEWIS A. KAPLAN, *District Judge*.

Before the Court is defendant's motion for a sentence reduction pursuant to 18 U.S.C. § 3582(c)(2).

On May 23, 2018, the defendant was sentenced principally to a term of imprisonment of 108 months. On November 22, 2023, the Probation Office completed a Supplemental Presentence Report. On December 22, 2023, defense counsel moved for a reduction of sentence.

Consistent with the Supplemental Presentence Report, the defendant contends that he is eligible for a sentence reduction under Amendment 821 to the Sentencing Guidelines, and that his Guidelines range would now be 87 to 108 months, based on an offense level of 29 and a criminal history category of I. The defendant argues that the Court should reduce his sentence to 87 months, the bottom of the newly calculated Guidelines range, based on the § 3553(a) factors it considered previously in imposing a sentence at the bottom of the originally calculated Guidelines range as well as on defendant's good conduct and educational accomplishments while incarcerated. The government does not object to defendant's motion.

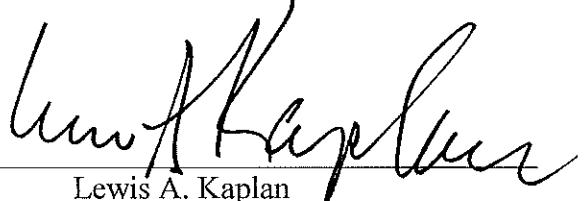
The Court finds that the defendant is eligible for a sentence reduction and adopts the above calculations as to the defendant's Guidelines range.

Having considered the record in this case, the defendant's arguments, and the Supplemental Presentence Report, it is

ORDERED that the defendant's term of imprisonment is reduced to 87 months, effective February 1, 2024.

SO ORDERED.

Dated: January 2, 2024



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Lewis A. Kaplan  
United States District Judge